INVESTIGATIVE SUMMARY

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY
USE OF FORCE - FRACTURED JAW
IAB #FO2273287

IRC REFERENCE#: 5120-2010-0831-106

DATE/TIME: Tuesday, August 31, 2010, 2110 hours

LOCATION: 450 Bauchet Street, Los Angeles, CA. , 90012
"Inmate Reception Center"

SUSPECT / INMATE: Stanley (NMN) Bell, MB/26, Booking #[redacted],
Los Angeles County Inmate - Men's Central Jail

INVOLVED PERSONNEL: Deputy Ryan Morejon, #[redacted], PM's
Deputy Michael Rathbun, #[redacted], PM's

On-call Internal Affairs Bureau personnel assumed the handle on a force investigation three days after the incident, where a deputy use-of-force incident led to the suspect's hospitalization for a fractured jaw. Attorney Rob Miller of the Office of Independent Review was also notified.

SYNOPSIS:

On Tuesday, August 31, 2010, at approximately 2110 hours, Deputy Ryan Morejon was working the booking front area of the facility, along with Deputy Michael Rathbun. While checking the authenticity and security of wristbands for newly arrived bookings, Inmate Stanley Bell, herein referred to as Suspect Bell, was directed to show his wristband prior to entering into the search cell, which was occupied by Deputies Morejon and Rathbun.

Deputy Morejon stood outside the cell and verified the wristbands of approximately 30-35 inmates as they entered. The inmates were then lined up against one side of the cell wall by Deputy Rathbun. When the last four to five inmates of that line entered the cell, Suspect Bell walked past Deputy Morejon without showing his wristband.

Despite Deputy Morejon's requests for him to stop, Suspect Bell continued to walk away. Deputy Morejon took several steps toward Suspect Bell and continued to tell him to stop and touched his shoulder from behind, to remind him about the wristband check. Suspect Bell immediately turned and faced Deputy Morejon, then assumed a fighting stance, with raised fists, and his body bladed sideways.

Trying to create distance, Deputy Morejon took a step backward, which the suspect countered by advancing another step toward Deputy Morejon still maintaining his fighter's stance. Fearing he would be assaulted, Deputy Morejon immediately lunged forward and punched the inmate once in the face with his right fist. Deputy Rathbun, who was standing in the search cell, saw Suspect Bell's actions and ran to assist Deputy Morejon.

From behind and using the suspect's momentum, Deputy Rathbun grabbed onto Suspect Bell's shirt/collar and forced him forward onto the ground. Suspect Bell landed on his hands and knees, then quickly tried to stand back up. Simultaneously, Deputy Morejon used his left knee and pushed against Suspect Bell's lower back, while Deputy Rathbun used his body weight and arms as leverage to get Suspect Bell to lay flat on the ground. Deputy Rathbun was able to control Suspect Bell's left arm, but Suspect Bell held his right arm under his body, refusing to let Deputy Morejon grab his right arm to be handcuffed. After refusing their commands to place his hand behind his back, Deputy Rathbun applied a two to three second burst of Freeze + P, O.C. spray to Suspect Bell's face. This tactic was successful as Suspect Bell no longer struggled and he was handcuffed without further incident.

Suspect Bell was taken to the Inmate Reception Clinic where he was initially treated due to his mouth bleeding, and his eyes were flushed as a result of the O.C. spray. He also complained of pain to his jaw. Follow-up treatment was conducted at the Los Angeles County-USC Medical Center where on September 3, 2010, Suspect Bell was diagnosed as having a broken jaw (Bilateral Mandibular Fracture), requiring surgery.

During the incident, Deputy Morejon sustained a 1/4 inch scratch/scar on the right ring knuckle and a 1/4 inch scratch/scar in between his fourth and fifth fingers on his right hand. He declined medical treatment.

Suspect Bell still remains in custody for his original arrest/booking charges of Penal Code, 207 (Kidnaping) and 3056 (Parole Violation), with bail set at $10,000,000.00.

INVOLVED PERSONNEL:

MOREJON, Ryan M.
Deputy Sheriff, Employee #[redacted]
Correctional Services Division/Inmate Reception Center

Work History:

Date of Employment:	12/05/2007
Date assigned to Custody:	[redacted]
Completed Custody Training:	[redacted]
Prior Shooting Incident(s):	
Prior Founded Force Incident(s):	

RATHBUN, Michael C.
Deputy Sheriff, Employee #
Correctional Services Division/Inmate Reception Center

Work History:

Date of Employment:	08/15/2007
Date assigned to Custody:	[redacted]
Completed Custody Training:	[redacted]
Prior Shooting Incident(s):	
Prior Founded Force Incident(s):	

EMPLOYEE WITNESS:

SAGARDIA, John R., #[redacted], Sergeant
Correctional Services Division/Inmate Reception Center

NON-EMPLOYEE WITNESS:

, MH/40, DOB:
Former/Released Inmate, Booking #

SUSPECT INFORMATION:

BELL, Stanley, MB/26, DOB: 07/06/84, 5' 11", 210 pounds
Booking #2458901, CCHRS #[redacted], CII #[redacted], FBI #[redacted], and MAIN #[redacted].

> **IAB Note:** On August 29, 2010, Suspect Bell was arrested by the Los Angeles Police Department for Kidnaping and a parole hold. He remains in custody and his next court date is scheduled for June 15, 2011. For further, refer to his Inmate Information, presented as ***Exhibit I***.

A check of CCHRS (Consolidated Criminal History Reporting System) revealed that Suspect Bell [redacted].

For further, refer to the CCHRS and CII printouts included in ***Exhibit J,*** in the case book.

INJURIES:
Deputy Morejon sustained a 1/4 inch scratch/scar on the right ring knuckle and a 1/4 inch scratch/scar in between his fourth and fifth fingers on his right hand. He declined medical treatment.

Suspect Bell complained of pain to his head, mouth, and face. He sustained a fracture to his jawbone, which required surgery to wire his jaw. Also, he complained of pain to due to the Oleoresin Capsicum Spray (O.C.). Refer to the Inmate Injury Report for Suspect Bell, presented as ***Exhibit K***.

PHYSICAL EVIDENCE:
None.

INVESTIGATOR'S OBSERVATIONS:
The scene was not held by the personnel from IRC due to the fact the fractured jaw was not discovered by doctor's until three days after the incident, wherein follow-up notification to IAB was made on September 3, 2010.

WEAPONS USED BY DEPUTY PERSONNEL:
Deputy Morejon used his right fist and punched Suspect Bell one time. He used personal weapons (left knee and hands) to hold the suspect down, and assisted in the handcuffing.

Deputy Rathbun used his hands and performed a take-down of the suspect. He used personal weapons (body weight, hands, and right knee) to hold the suspect down, sprayed the suspect with O.C., and assisted in the handcuffing.

WEAPONS USED BY THE SUSPECT:
Suspect Bell raised his fists to his chest and took an aggressive stance toward Deputy Morejon, and resisted Deputies Morejon and Rathbun's initial efforts to be handcuffed.

PROPERTY DAMAGE:
There was no property damage during the fight with the deputies.

CRIMINAL INVESTIGATION CHARGES:

Investigator's Name:	None
Court:	None
Charges Filed:	None
D.A. Case Number:	None

There were no criminal charges filed against Suspect Bell.

LIGHTING AND WEATHER CONDITIONS:

The booking area in IRC is well lit with overhead lights.

INVOLVED EMPLOYEES' STATEMENTS:

***Deputy Ryan Morejon** was interviewed on November 3, 2010, at 0932 hours, by IAB Sergeants Dinah Grote and Laura Haynes, at the IAB Commerce office. He was represented by Attorney Anna Slotky from Green & Shinee. He was re-interviewed on June 29, 2011, at 0928 hours, by IAB Sergeants Dinah Grote and Laura Haynes, at the IAB Commerce office. He was represented by Attorney Audra Call from Green & Shinee. Precise wording may be obtained by reviewing the digitally audio taped interviews in the IAB audio files and/or the verbatim transcripts listed under the **Transcribed Interviews-Involved Employee's**, in the case book.*

Deputy Morejon stated that he was working booking front along with Deputy Michael Rathbun processing newly booked inmates. He stated newly booked inmates are given instructions regarding property and wristband checks prior to the actual checks. Deputy Morejon stood at the door outside of Search Cell #2, checking the wristbands as the inmates filed in. As the inmates walked to him, he verified the wristbands were intact and then had them continue to walk with their right shoulders along the wall to the end/corner. He said Deputy Rathbun was standing inside the cell to his right guiding the checked inmates to the corner of the cell. He and Deputy Rathbun were the only deputies inside the cell at that time and other deputies were either in Search Cell #1 or in the Uncuffed area.

He stated the first line of inmates (30-35) entered into the cell to fill one side of the wall. As the last four to five inmates from that line entered the cell to get their wristbands checked, Suspect Bell walked past Deputy Morejon and into the cell walking toward the middle. Trying to get the suspect's attention, Deputy Morejon yelled out to the suspect to "come back" several times. Suspect Bell did not acknowledge, so Deputy Morejon took two to three steps toward Suspect Bell. He reached out with his left hand and touched Suspect Bell's right shoulder to get his attention.

Immediately, Suspect Bell spun to his right and turned back toward Deputy Morejon, while assuming a boxer's stance, described as his left foot forward and right foot back, his fists raised to chest level, his elbows were tucked into his body/sides, and he had a frown on his face. Recognizing his actions as a fighter's or martial art's stance, and wanting to create distance from the suspect, Deputy Morejon took one step backward. Maintaining his fighting stance, Suspect Bell immediately took a step forward with his left foot and drug his right foot, keeping within an arm's length of Deputy Morejon.

Believing Suspect Bell would assault him, Deputy Morejon lunged forward and punched Suspect Bell one time in his mouth/nose area, which caused Suspect Bell to immediately grab his face and lean forward. Deputy Morejon stated that prior to punching Suspect Bell he did not have enough time to either grab his OC spray or to radio for assistance because of the suspect's immediate aggression toward him.

After punching Suspect Bell and almost simultaneously, Deputy Rathbun approached Suspect Bell from behind and grabbed onto Suspect Bell's shirt collar. Using the suspect's momentum, Deputy Rathbun pushed the suspect forward causing him to fall onto his hands and knees landing on the concrete surface outside the open cell door. Suspect Bell attempted to push himself upward off the ground, so standing on the right side of the suspect, Deputy Morejon placed his left knee into the lower back area and pushed Suspect Bell flat onto the ground, landing on his stomach/upper torso.

Using his left leg and body weight to hold Suspect Bell down, Deputy Morejon attempted to grab the suspect's right arm, but Suspect Bell pulled his right arm away and tucked it under his body. Deputy Morejon and Deputy Rathbun yelled out several commands for the suspect to place his hands behind his back, but he refused to comply as he kept his arms tucked under his body, and resisted the deputies' efforts to gain control of his arms.

Deputy Morejon saw Deputy Rathbun spray Suspect Bell's face with a two to three second burst of Freeze + P O.C. spray. This proved to be effective because Suspect Bell stopped fighting and removed his hands from underneath his body to wipe his face. Deputy Morejon grabbed the suspect's right arm and Deputy Rathbun grabbed his left arm, simultaneously Sergeant Sagardia arrived and directed Deputies Morejon and Rathbun to handcuff Suspect Bell. This was done without further incident and the Suspect was taken to an isolation cell. Deputy Morejon estimated the entire incident lasted approximately 30-45 seconds.

During the fight, Deputy Morejon sustained a 1/4 inch scrape/scar across the knuckle of the fifth finger on his right hand, and a 1/4 scrape/scar between the fourth and fifth fingers on his right hand. He did not require nor request medical attention. Deputy Morejon stated that although Suspect Bell fell face-first onto the concrete floor, he believes his punch caused the fracture to Suspect Bell's jaw. For further, refer to a copy of Deputy Morejon's Use of Force Memorandum ***(Exhibit A)***, his diagram depicting the scene ***(Exhibit B)***, and a copy of his Training Records ***(Exhibit C)***.

Deputy Michael Rathbun *was interviewed on November 3, 2010, at 1020 hours, by IAB Sergeants Dinah Grote and Laura Haynes, at the IAB Commerce office. He was represented by Attorney Anna Slotky from Green & Shinee. He was re-interviewed on July 1, 2011, at 0950 hours, by IAB Sergeant Dinah Grote, at the IAB Commerce office. He was represented by Attorney Audra Call from Green & Shinee. Precise wording may be obtained by reviewing the digitally audio taped interviews in the IAB audio files and/or the verbatim transcripts listed under the* ***Transcribed Interviews-Involved Employee's****, in the case book.*

Deputy Rathbun said that he and Deputy Morejon were processing a line of newly arrived inmates for a customary booking search. He said Deputy Morejon was standing at the threshold of the cell door verifying each inmate's wristband for authenticity and security as they entered into the cell. Deputy Rathbun stood inside the middle portion of the cell and waited for the checked inmates to enter the cell before guiding them along the wall in preparation for the search. He stated other deputies were either in Search Cell#1 or in the Uncuffed areas with other inmates.

Standing in Search Cell #2, Deputy Rathbun saw Suspect Bell walk past Deputy Morejon without showing his wristband for inspection. Deputy Morejon then reached out and touched the suspect's shoulder, telling the inmate to stop and show him (Morejon) his wristband. Suspect Bell turned back to face Deputy Morejon and assumed a fighting stance, described as his left foot forward, right foot back, fists raised to chest level with his elbows tucked into his body.

Deputy Morejon took a step back from Suspect Bell. Immediately, Suspect Bell took a step forward with his left foot in his fighter's stance and maintained an arm's length distance from Deputy Morejon. Deputy Rathbun believed Suspect Bell was preparing to fight when he saw Deputy Morejon punch Suspect Bell in the face one time with his right fist. Approximately five to seven feet behind Suspect Bell, Deputy Rathbun ran toward him as this was occurring. The punch/blow caused Suspect Bell's head to "snap" back, followed by his upper torso, toward Deputy Rathbun.

With both hands, Deputy Rathbun grabbed onto the suspect's shirt/collar area from behind and gave him orders to lie down on the ground. Using the suspect's momentum, Deputy Rathbun pushed Suspect Bell forward to the concrete surface where he (Bell) landed on his hands and knees, and Deputy Rathbun standing on the suspect's left side. Deputy Rathbun continued to use his body weight to push him forward and flat onto the ground. Before hitting the ground, Suspect Bell tucked his arms under his body at his chest area.

To prevent Suspect Bell from standing up, Deputy Rathbun placed his right knee into the center of the suspect's back and used his body weight to hold the suspect down as he grabbed Suspect Bell's left arm and pulled it behind his (Bell's) back. Deputy Rathbun saw Deputy Morejon on the right side of the suspect's body struggling to gain control of his right arm as a result of Suspect Bell pulling his right arm under his body, and preventing Deputy

Morejon from grabbing it.

After repeated commands by Deputies Rathbun and Morejon to place his hand behind his back and failing to comply, Deputy Rathbun retrieved his Freeze + P O.C. spray. Using his left hand to hold Suspect Bell's left arm, Deputy Rathbun held the O.C. spray in his right hand and sprayed a three-second burst of O.C. into the suspect's face. This caused Suspect Bell to stop fighting and become compliant to their commands. Nearby, Deputy Rathbun heard Sergeant Sagardia directing them to handcuff the suspect. Deputy Morejon was able to grab the suspect's right arm and bring it behind his (Bell's) back. Suspect Bell was handcuffed without further incident.

Deputy Rathbun was not injured during this incident. He said that he did not have enough time to order the other inmates to the ground due to Suspect Bell's actions. He said the incident happened within one to two seconds and he did not have the opportunity to safely deploy his OC Spray or to radio for assistance prior to the takedown of Suspect Bell. Also, he did not have a Taser in his possession.

Deputy Rathbun estimated that from the time Deputy Morejon punched the suspect to the time the suspect was handcuffed, approximately 10-15 seconds had elapsed. For further, refer to a copy of Deputy Rathbun's Use of Force Memorandum ***(Exhibit D)***, his diagram depicting the scene ***(Exhibit E)***, and a copy of his Training Records ***(Exhibit F)***.

EMPLOYEE WITNESS STATEMENTS:

Sergeant John Sagardia *was interviewed on November 4, 2010, at 0432 hours, by IAB Sergeant Dinah Grote, at the IAB Commerce office. He declined representation. Precise wording may be obtained by reviewing the digitally audio taped interviews in the IAB audio files and/or the verbatim transcripts listed under the* ***Transcribed Interviews-Employee Witness****, in the case book.*

Sergeant Sagardia stated he was supervising and assisting the Booking Front deputies search newly arrived inmates/bookings to Inmate Reception Center. He said Lieutenant Patrick Libertone and Sergeant Kurtis Ebbinga were standing in the hallway adjacent to the search cells overlooking the process. Sergeant Sagardia was standing inside Search Cell #1 with approximately 50 new inmates and other deputies when he heard a commotion or struggle coming from the outside area of Search Cell #1. He said he walked out of Cell #1 and into the Holding Area where approximately 15 other inmates were standing along the wall to be processed into Cell #2. Sergeant Sagardia and an unknown deputy yelled out orders for the inmates to sit down or to face the wall as he walked over to Cell #2 to check on the status of the deputies searching the inmates in that cell.

Walking toward Cell #2 and looking through the glass windows into the cell, he saw two deputies on the floor near the cell door struggling with an inmate (Suspect Bell). He estimated there were approximately 50 other inmates in Cell #2 along one side of the wall. He did not recall the positioning of Suspect Bell's body, but said Deputy Morejon was on the inmate's right side, near the open cell door. He said Deputy Rathbun was on the opposite side and both deputies were trying to grab the suspect's arms. As Sergeant Sagardia walked up to the deputies, he smelled the odor of O.C. spray and saw that the suspect was no longer struggling as Deputies Rathbun and Morejon grabbed the suspect's arms, so he directed them to handcuff the Suspect. Deputies Rathbun and Morejon handcuffed Suspect Bell and escorted him to an isolation cell without further incident.

For further, refer to Sergeant Sagardia's Use of Force Memorandum, presented in ***Exhibit G***, his sketch depicting the scene, in ***Exhibit H***, and his IAB transcripts located in the ***Transcriptions - Employee Witness,*** section of the case book.

NON-EMPLOYEE WITNESS STATEMENT:

*After the incident, Witness/Inmate was identified and interviewed by IRC's Sergeant Kurtis Ebbinga. Below is a summary of that interview. Several other inmates who were present during the fight were interviewed by Sergeant Ebbinga; however, they stated they did not see the fight. For further, refer to a DVD copy of the interviews, as well as Witness interview, presented as **Exhibit M.** Precise wording of Witness interview may be obtained by reviewing the videotaped **(Exhibit M)**, and/or the verbatim transcripts listed under the **Transcribed Interviews, Non-Employee Witness**, in the case book.*

Witness/Inmate stated he saw the Suspect take a step toward the deputy and then next saw the Suspect on the ground. He said he could not see anything more. He stated it happened fast and that the incident lasted approximately fifteen seconds. He said he did not hear any commands from the deputies nor did he hear the suspect say anything. He said he was minding his own business.

SUSPECT'S STATEMENT:

*After the incident, Suspect Stanley Bell was initially videotaped and interviewed by IRC's Sergeant Kurtis Ebbinga. However, the volume was down and no audio could be heard. Shortly afterward, a secondary interview was conducted by Sergeant Ebbinga and Lieutenant Patrick Libertone. Below is a summary of that interview. Precise wording may be obtained by reviewing the videotaped interview in **Exhibit L**, and/or the verbatim transcripts listed under the **Transcribed Interviews-IRC Watch Commander Interview**, of the case book.*

Suspect Bell stated the deputies told him to hold his pants up with his right hand and then he was punched in the face "all over" and kicked. He recalled falling down and covered his head, then told to spread his arms as he was sprayed in the face. He said the deputies "should have told me what they wanted me to do."

On October 20, 2010, at 1050 hours, Suspect Bell was interviewed by IAB Sergeants Dinah Grote and Laura Haynes, at the Twin Towers, Correctional Treatment Center. Precise wording may be obtained by reviewing the digitally audio taped interviews in the IAB audio files and/or the verbatim transcripts listed under the ***Transcribed Interviews-IAB Interview #1****, of the case book.*

Suspect Bell declined to be interviewed until he conferred with his attorney.

On November 2, 2010, at 1033 hours, Suspect Bell was interviewed by IAB Sergeants Dinah Grote and Laura Haynes, at the Men's Central Jail. Precise wording may be obtained by reviewing the digitally audio taped interviews in the IAB audio files and/or the verbatim transcripts listed under the ***Transcribed Interviews-IAB Interview #2****, of the case book.*

Suspect Bell stated he would talk about his injuries, but not the fight incident. He said his jaw was broken on both sides that required surgery to install steel plates on each side and to wire shut his jaw, and he complained of nerve damage to the lower right side of his jaw.

MISCELLANEOUS SECTION:

I spoke to both Lieutenant Patrick Libertone and Sergeant Kurtis Ebbinga. They both said that although they were approximately seven to ten feet away from Search Cell #2, they did not hear or see anything due to the noise level in the booking/screening of new inmates. They stated they only learned of the fight when they saw Deputies Rathbun and Morejon escorting a handcuffed inmate to an isolation tank.

Also, they said they contacted other inmates who were close to the fight or acknowledged they saw the fight. They both stated no other deputies witnessed or were in a position to see the fight.